

TEXAS STATE BOARD OF EXAMINERS OF MARRIAGE AND FAMILY THERAPISTS



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MINUTES

Friday, April 16, 2021

The Texas State Board of Examiners of Marriage and Family Therapists met via Zoom video conference on April 16, 2021. The following Board members were in attendance: Lisa Merchant, PhD, LMFT, Chair; Russell F Bartee, PhD, LPC-S, LMFT-S; Jodie Elder, PhD, LPC-S, LMFT; Evelyn Husband-Thompson; Daniel Parrish; Jeanene L Smith, MA, LPC, LMFT-S; and Richmond Stoglin, MPA, DMin, LMFT. Also, in attendance were Darrel Spinks, BHEC Executive Director; Tim Speer, BHEC Director of Operations; Patrick Hyde, BHEC General Counsel; Brian Clark, TSBEMFT Attorney; and Sarah Faszholz, TSBEMFT Board Administrator.

1. The meeting was called to order at 8:35 a.m. by Chair Merchant.
2. The Board considered Item 2: approval of January 12 and 22, 2021, minutes of the videoconference Board meeting. Mrs. Husband-Thompson made the motion to approve the minutes. Chaplain Stoglin seconded the motion. The minutes were approved unanimously.
3. The Board considered Item 3: Board review and possible action regarding appeals of application for licensure denials, including Theophilus Natter. Mr. Natter was in attendance and spoke to the Board. Chaplain Stoglin made the motion affirm the denial of Mr. Natter's application. Mr. Parrish seconded the motion. The motion carried.
4. The Board considered Item 4: Board review and possible action regarding agreed orders to be executed by the Board. There were none.
5. The Board considered Item 5: Board review and possible action regarding contested cases from the State Office of Administrative Hearings (SOAH). There were none.
6. The Board considered Item 6: Report of agreed orders executed by the Council's Executive Director. Ms. Faszholz gave the report in meeting materials.
7. The Board considered Item 7: Report of cases dismissed by the Council's Executive Director. Ms. Faszholz gave the report in meeting materials.
8. The Board considered Item 8: Status report of quarterly enforcement case activities. Ms. Faszholz gave the report in meeting materials and provided correction to number of cases reviewed by informal settlement conference in the second quarter.
9. The Board considered Item 9: Report of compliance with agreed orders. Ms. Faszholz gave the report in meeting materials and provided clarification concerning staff turnover, staff efforts to contact respondent who appears to be out of compliance, and time frame for staff to process incoming materials.
10. The Board considered Item 10: Report from Committee Chairs per Title 22 of the Texas Administrative Code, §801.11(f):

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- A. Report from Ethics Committee Chair Rev. Dr. Scoma. Dr. Merchant gave the report, noting that the Ethics Committee has not met, that members of the Ethics Committee served on two informal settlement conferences in January and a number of informal settlement conferences are scheduled for May.
 - B. Report from Licensing Standards Committee Chair Dr. Merchant. Dr. Merchant gave the report, noting that the Licensing Standards Committee met in February concerning excess practicum award, AAMFT supervisor candidate's eligibility for supervisor status, and creation of matrix for military training and experience. The Licensing Standards Committee is scheduling a follow up meeting in the next few weeks.
 - C. Report from Outreach Committee Chair Dr. Merchant. Dr. Merchant gave the report, noting the Outreach Committee has not met, but Dr. Merchant and Mr. Speer presented on the application process to TAMFT in March. Also, Dr. Merchant presented information about the licensing process to students at Abilene Christian University. In April, Dr. Merchant is scheduled to present to Texas Woman's University, concerning the licensing process. Director Spinks offered support for future webinars, or recording or posting the presentation. Dr. Elder reported she may soon present similar information to Southern Methodist University.
 - D. Report from Professional Development Committee Chair Dr. Bateman. Ms. Faszholz noted that the agenda was submitted before verification that the Texas Senate had confirmed Dr. Elder's appointment to the Board, so Dr. Bateman was the Board Member at that time. After Dr. Elder's confirmation, Mrs. Husband-Thompson was to replace Dr. Bateman as chair of the Professional Development Committee. Mrs. Husband-Thompson reported the Professional Development Committee has not met.
 - E. Report from Rules Committee Chair Mr. Francis. Dr. Merchant reported that the Rules Committee has not met.
11. The Board considered Item 11: Discussion and possible action regarding jurisprudence exam. Ms. Faszholz gave the report for first two quarters in fiscal year 2021 in the meeting materials and provided clarification. No action was taken.
- A. Discussion and possible action concerning the quarterly summary from the Texas State Board of Examiners of Marriage and Family Therapists' Jurisprudence Exam vendor. No action was taken.
 - B. Discussion and possible action related to changes in the Board's Jurisprudence Exam. No action was taken.
12. The Board considered Item 12: Report from the Board Chair. Dr. Merchant gave the report, including thanking staff for various efforts and welcoming Dr. Jodie Elder as newest Board Member. Director Spinks explained face-to-face meetings cannot be accommodated at the Hobby Building, given the significant damage to the Tower 2 offices, and reported that some bills in the Legislature may provide more flexibility for open meetings if enacted. Currently, the Governor's waiver of certain statutory requirements allows the Board to meet via videoconference.
13. The Board considered Item 13: Report from the Board's Delegates to the Texas Behavioral Health Executive Council. Ms. Smith gave the report. Ms. Faszholz added information on the Council's recent rulemaking process concerning 22 TAC §§882.21 *License Statutes* and 882.50 *Continuing Education and Audits*.
14. The Board considered Item 14: Report from the Board Administrator. Ms. Faszholz gave the report. Ms. Smith noted frequent contacts from persons who are unable to contact the agency staff via the Council's phone or email addresses. Director Spinks explained another Board's guidelines on social media, the use of guidelines versus rules, and the Council's Standardization Work Group.
15. The Board considered Item 15: Discussion and possible action regarding future priorities and activities of the Board. There were none.
16. The Board opened Item 16: Public comment:
- A. Sandra Martin, liaison for Christian Counselors of Texas, expressed appreciation to the Board and thanked Chaplain Stoglin's reference to "the Great State of Texas."

- B. Jason Martin, PhD, LPC-S, LMFT-S, Texas Association of Marriage and Family Therapy (TAMFT), welcomed Dr. Elder to the Board, informed the Board that Dr. Martin is now President Elect of TAMFT and will no longer serve as liaison to this Board, thanked the Board for its work and engagement, announced Beth Jackson will be new liaison, expressed disappointment that the Board was not presented with new information regarding Associate's accrual of technology-assisted service hours during COVID declared disaster, reiterated ongoing difficulty reaching staff at the agency's phone and email addresses.
 - C. Jennifer Smothermon, LPC-S, LMFT-S, welcomed Dr. Elder to the Board and congratulated Dr. Martin in his new position at TAMFT, thanked the Board for its attention to the status reports and agreed that it is imperative to report data in a manner that accurately reflects the Board's progress to both: the public and governmental officials; thanked Director Spinks for reviewing data and reporting with Council staff; applauded Dr. Merchant for establishing Outreach Committee; appreciated the Board's efforts to enhance clarity for the public and stakeholders; appreciated the Board's consideration of Board-specific guidelines, encouraging the label "guidelines" rather than "best practices."
17. The Board considered Item 17: Announcements and comments not requiring Board action. Christian Counselors of Texas Annual Conference is rescheduled to August 2021. Chaplain Stoglin recognized memorial service of Marine Corp Captain. The Board is scheduled to meet July 23. The Council is scheduled to meet May 4.
18. The meeting was adjourned at 10:44 a.m. by Chair Merchant.